MADRAS REGULATION XI OF 1816.[1]

[THE MADRAS VILLAGE-POLICE REGULATION, 1816.]

[*13th September 1816.*]

A Regulation for the establishment of a general system of Police throughout the territories subject to the Government of Fort St. George.

1 to 7. [*Repeal of certain enactments : Persons by whom Police duties are to be discharged : Powers and duties of heads of villages : Police duties.*] *Rep., Central Act XVII of* 1862.

Appointment and powers of heads of villages and Police-officers in the Amindivi Islands.

[2] [7. In the Amindivi Islands, the State Government may appoint any person to be the head of a village or the Police-officer of a district, and confer on him all or any of the powers exercisable under this Regulation by the head of a village or the Police-officer of a district, as the case may be :

Provided that the Monegar shall not be appointed as the Police-officer of a district :

Provided further that where the head of a village is appointed under this section—

(i) if the power of making a search under section 11 is conferred on him, he shall make the search in the presence of not less than three *muktessors* or *mooppans* ; and

(ii) if the power of conducting an enquiry under section 13 is conferred on him, that section shall have effect as if in the *First* clause thereof, the words " with not less than three *muktessors* or *mooppans* " had been substituted for the words " with the *Karnam* and two or three respectable inhabitants " and as if for the *Third* clause thereof, the following clause had been substituted, namely :—

" *Third*—If the Police-officer should not appear to conduct the inquiry, the head of the village shall take down

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[1] Short title, " The Madras Village-Police Regulation, 1816 "—*See* Repealing and Amending Act, 1901 (Central Act XI of 1901).

Sections 8, 9, 10, 11 *cl.* (1), 13, 14 and 17 were declared by the Laws Local Extent Act, 1874 (Central Act XV of 1874), s. 4 and the Second Schedule to be in force in the whole of the Presidency of Madras except the territories mentioned in the Sixth Schedule to that Act.

The Regulation has been declared, by notification under s. 3 (*a*) of the Scheduled Districts Act, 1874 (Central Act XIV of 1874), to be in force in the Rampa Country—*see Gazette of India*, 1879, Pt. I, p. 630, and *Fort St. George Gazette, ibid.*, p. 723.

It has been extended, by notification under s. 5 of the same Act, to the Taluqs of Bhadrachalam and Rakapilli—*see Gazette of India*, 1879, Pt. I, p. 630, and *Fort St. George Gazette, ibid*, p. 722.

The Regulation has been extended by a notification under s. 5 of the Scheduled Districts Act to the Muttas of Dutcharti and Guditeru of the Godavari Agency—*see Fort St. George Gazette*, 1930, Pt. I, p. 553.

The Regulation is in force in the Nugur taluk of the East Godavari district in virtue of s. 2 (1) of Regulation 1 of 1909.

[2] This section was inserted by section 2 of the Madras Village Police (Amindivi Islands Amendment) Regulation, 1951 (Madras Regulation V of 1951) which has come into force on 1st January 1952.

in writing the evidence of the persons who may be examined, record any necessary particulars respecting the appearance of the body and frame a report of the whole proceedings. The head of the village shall attest such report with his signature, cause it to be attested by two or more of the *muktessors* or *mooppans* who may be present at the investigation and forward it to the Police-officer of the district with the evidence he may have taken and with the views, if any, of such of the *muktessors* or *mooppans* as may wish to record their views separately, with regard to the subject-matter of the inquiry"]

Information to be communicated by heads of villages to each other.

8. Heads of villages shall reciprocally communicate any information which they may receive of offences committed, or of gangs of robbers, or of suspicious persons having entered or taken refuge in each other's villages, and shall co-operate in all things for the apprehension of offenders and the general security of the country.

To report arrival of suspicious persons.

9. Heads of villages shall report to the Police-officer of the district the arrival in their villages of strangers of suspicious appearance, and all information which they may be able to collect concerning such persons.

Powers of heads of villages to inflict punishment.

10. *First.*—[1] In cases of a trivial nature, such as abusive language and inconsiderable assaults or affrays, heads of villages shall have authority, on a verbal examination, either to dismiss the parties, or, if the offence charged shall be proved to have been committed by the persons accused of it and shall appear deserving of punishment, to confine the offending parties in the village choultry for a time not exceeding twelve hours * * *.[2]

Obligation to report cases of punishment.

Second.—Heads of villages shall report to the Police-officer of the district all cases in which they shall have exercised the power of punishment granted to them by the first clause of this section, but it shall not be necessary for them to report the cases in which they may dismiss parties.

Heads of villages how to proceed on receiving information of stolen property.

11. *First.*—Where heads of villages may have credible information of stolen property being concealed, and there may be reason to apprehend that it will be made away with unless prompt measures be taken to secure it, they shall cause search to be made and the property, if found, to be secured and forwarded with the offender to the Police-officer of the district. If the place of concealment be a dwelling-house, the search shall be made only between sunrise and sunset.

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[1] This clause has been extended to petty thefts—*see* Mad. Reg. IV of 1821, s. 6, cl. 1.

[2] The words " or if the offending parties shall be of any of the lower castes of the people, on whom it may not be improper to inflict so degrading a punishment, to order them to be put in the stocks for a time not exceeding six hours " were repealed by section 27 of the Madras Village Courts (Amendment) Act, 1919 (Madras Act II of 1920).

Second and Third.—[*Procedure when persons found selling stolen property.*] *Rep., Central Act XVII of* 1862, *as amended by Central Act XXXVI of* 1867.

12. [*Duties of heads of villages with regard to strays.*] *Rep., Central Act III of* 1857.

Procedure on discovery of dead bodies.

13. *First.*—The head of the village, on receiving information of the discovery of the body of a person supposed to have been murdered, shall immediately proceed to the spot with the Karnam and two or three respectable inhabitants, in whose presence he shall examine every person who may be able to afford any information regarding the discovery of the body and its appearance when discovered, or regarding the murder of the deceased, if the body should have been deprived of life by murder.

Notice of such discovery to Police-officer.

Second.—The head of the village on receiving information of the discovery shall also, without delay, send notice of it to the Police-officer of the district and, if the Police-officer shall arrive at the spot in time to inquire into the circumstances under which the body may have been discovered, the inquiry shall be conducted under his superintendence.

Procedure where Police-officer fails to appear to conduct inquiry.

Third.—If the Police-officer should not appear to conduct the inquiry, the head of the village shall cause the Karnam to take down in writing the evidence of the persons who may be examined, and to record any necessary particulars respecting the appearance of the body, and to frame a report of the whole proceedings. The head of the village shall attest such report with his signature, and, having procured it to be attested by two or more of the inhabitants who may be present at the investigation and by the Karnam, he shall forward it to the Police-officer of the district with the evidence he may have taken.

Apprehension of person suspected of murder.

Fourth.—If on the proceedings of the head of the village there shall in any case appear ground for suspecting any person or persons who may be within his jurisdiction of having committed the murder, the head of the village shall immediately apprehend and send such person or persons to the Police-officer of the district.

Registers of persons confined to be kept by Karnams, and transmitted to Police-officer.

14. Karnams shall keep registers of persons confined by the heads of villages under section 10 of this Regulation, and these registers shall be transmitted monthly by the heads of villages to the Police-officers of their respective districts, to be forwarded to the Magistrate.

[*Form of Register.*] *Rep., Central Reg. IX of* 1828, *s.* 2.

15 to 46. [*Appointment and duties of village-watchers: duties of kutwals and their peons: Police duties of Tahsildars and other Revenue servants: powers and procedure of Tahsildars in various cases; Zamindars as Police-officers: Amins of Police in large towns: limitations for complaints of*

petty offences : arrest of persons tendering property for sale or pawn under suspicious circumstances : prosecution of Police-officers for extortion or oppression : Police-officers to take no cognizance of cases of adultery and fornication.] *Rep., Central Act XVII of* 1862.

Magistrates charged with the maintenance of peace.

47. The Magistrates shall be charged with the maintenance of the peace within their respective zilas, and, whenever their establishments may be insufficient to resist banditti or other disturbers of the public peace, they shall apply for assistance to the nearest military station * * *[1].

48 to 51. [*Police peons to be equally employed in Police and Revenue duties : licences for manufacture of fire-arms : inter-communication between Magistrates : duties of Magistrates in case of disputes concerning crops or use of water.*] *Rep., Central Act XVII of* 1862.

52. [*Disposal of strays.*] *Rep., Central Act III of* 1857.[2]

53 to 56. [*Determination of rates of hire of palanquin-bearers, coolies, etc. : complaints regarding false weights and measures : only Magistrates to issue orders to Police-officers : may correspond direct with Government.*] *Rep., Central Act XVII of* 1862.

[1] Certain words, repealed by Central Act XII of 1876, have been omitted. The words had previously been repealed by Mad. Reg. II of 1832.

[2] Also included in the Schedule to Central Act XVII of 1862.